

APR 11 2013

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

UNITED STATES OF AMERICA	)	Criminal Action No. 7:10CR00058
	)	Civil Action No. 7:12CV80462
v.	)	
	)	<b><u>FINAL ORDER</u></b>
BRIAN SCOTT FREEMAN,	)	
	)	By: Hon. Glen E. Conrad
Defendant.	)	Chief United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

**ORDERED**

as follows:

1. The government's motion to dismiss is **GRANTED**;
2. The defendant's motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255 is **DENIED** and this action shall be **STRICKEN** from the active docket of the court; and
3. A certificate of appealability is **DENIED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the defendant and all counsel of record.

**ENTER:** This 11<sup>th</sup> day of April, 2013.

[Signature]  
Chief United States District Judge